

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

In re:	)	
	)	Chapter 11
SUREFUNDING, LLC,	)	
	)	Case No. 20-10953 (LSS)
Debtor.	)	(Bankr. D. Del.)
BRETT HATTON, EARL CORONEL, et	)	
al.,	)	
	)	
Appellants,	)	
	)	C.A. No. 23-175 (MN)
v.	)	BAP No. 23-004
	)	
SUREFUNDING, LLC,	)	C.A. No. 23-249 (MN)
	)	BAP No. 23-011
Appellee.	)	

**ORDER**

At Wilmington, this 16th day of March 2022;

WHEREAS, on March 15, 2023, Chief Magistrate Judge Mary Pat Thyng issued a Recommendation (D.I. 9 in C.A. No. 23-175; D.I. 3 in C.A. No. 23-011) recommending that these matters be withdrawn from the mandatory referral for mediation and proceed through the appellate process of this Court;

WHEREAS, the parties have agreed to participate in an in-person mediation before an agreed-upon mediator to be conducted before the end of April and to stay all deadlines and other actions in these appeals pending mediation (*id.* at 2; *id.* at 2);

WHEREAS, no objections to the Recommendations are anticipated because the Recommendations are consistent with the parties' positions (*id.*); and

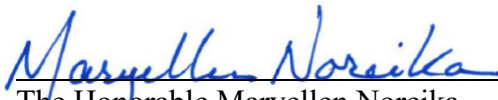
WHEREAS, the Court finds no clear error on the face of the record and does not find the Recommendations to be clearly erroneous or contrary to law.

THEREFORE, IT IS HEREBY ORDERED that the Recommendations are ADOPTED and these matters are withdrawn from the mandatory referral for mediation.

IT IS FURTHER ORDERED that, as the parties have agreed to participate in an in-person mediation before an agreed-upon mediator to be conducted before the end of April, the parties shall file a letter informing the Court of the agreed-upon mediator and the date for the mediation.

IT IS STILL FURTHER ORDERED that all deadlines and other actions in these appeals are STAYED pending the outcome of mediation.

IT IS FINALLY ORDERED that on or before May 15, 2023, the parties shall file a joint status report setting forth the outcome of mediation and, if mediation was unsuccessful, shall propose an agreed-upon joint briefing schedule for the pending motions and appeals.

  
The Honorable Maryellen Noreika  
United States District Judge